1		TITLE 35: ENVIRONMENTAL PROTECTION				
2	SUBTITLE F: PUBLIC WATER SUPPLIES					
3		CHAPTER I: POLLUTION CONTROL BOARD				
4		DADT (1)				
5	NIEW	PART 616				
6	NEW	ACTIVITIES IN A SETBACK ZONE OR REGULATED RECHARGE AREA				
7 8		SUBPART A: GENERAL				
9		SUDPART A. GENERAL				
10	Section					
11	616.101	Purpose				
12	616.102	Definitions				
13	616.104	Exceptions to Prohibitions				
14	616.105	General Exceptions				
15	010.103	General Exceptions				
16		SUBPART B: GROUNDWATER MONITORING REQUIREMENTS				
17		Sebimir B. Green, Willer Morvir of the Continue (1)				
18	Section					
19	616.201	Applicability				
20	616.202	Compliance Period				
21	616.203	Compliance With Groundwater Standards				
22	616.204	Groundwater Monitoring System				
23	616.205	Groundwater Monitoring Program				
24	616.206	Reporting				
25	616.207	Determining Background Values and Maximum Allowable Results ("MARs")				
26	616.208	Continued Sampling				
27	616.209	Preventive Notification and Preventive Response				
28	616.210	Corrective Action Program				
29	616.211	Alternative Corrective Action Demonstration				
30						
31	SUE	BPART C: GENERAL CLOSURE AND POST-CLOSURE REQUIREMENTS				
32						
33	Section					
34	616.301	Applicability				
35	616.302	Closure Performance Standard				
36	616.303	Certification of Closure				
37	616.304	Survey Plat				
38	616.305	Post-Closure Notice for Waste Disposal Units				
39	616.306	Certification of Completion of Post-Closure Care				
40	616.307	Post-Closure Care Period				
41						
42		SUBPART D: ON-SITE LANDFILLS				
12						

JCAR350616-2208794r02

44	Section					
45	616.401	Applicability				
46	616.402	Prohibitions				
47						
48		SUBPART E: ON-SITE LAND TREATMENT UNITS				
49	~ .					
50	Section					
51	616.421	Applicability				
52	616.422	Prohibitions				
53	616.423	Groundwater Monitoring				
54	616.424	Design and Operating Requirements				
55	616.425	Closure and Post-Closure Care				
56						
57		SUBPART F: ON-SITE SURFACE IMPOUNDMENTS				
58						
59	Section					
60	616.441	Applicability				
61	616.442	Prohibitions				
62	616.443	Groundwater Monitoring				
63	616.444	Design Requirements				
64	616.445	Inspection Requirements				
65	616.446	Operating Requirements				
66	616.447	Closure and Post-Closure Care				
67						
68		SUBPART G: ON-SITE WASTE PILES				
69						
70	Section					
71	616.461	Applicability				
72	616.462	Prohibitions				
73	616.463	Design and Operating Requirements				
74	616.464	Closure				
75						
76		SUBPART H: UNDERGROUND STORAGE TANKS				
77						
78	Section					
79	616.501	Applicability				
80	616.502	Design and Operating Requirements				
81						
82		SUBPART I: PESTICIDE STORAGE AND HANDLING UNITS				
83						
84	Section					
85	616.601	Applicability				
86	616.602	Prohibitions				

87	616.603	Groundwater Monitoring			
88	616.604	Design and Operating Requirements			
89	616.605	Closure and Post-Closure Care			
90					
91		SUBPART J: FERTILIZER STORAGE AND HANDLING UNITS			
92					
93	Section				
94	616.621	Applicability			
95	616.622	Prohibitions			
96	616.623	Groundwater Monitoring			
97	616.624	Design and Operating Requirements			
98	616.625	Closure and Post-Closure Care			
99	0.1010_0				
100		SUBPART K: ROAD OIL STORAGE AND HANDLING UNITS			
101					
102	Section				
103	616.701	Applicability			
104	616.702	Prohibitions			
105	616.703	Groundwater Monitoring			
106	616.704	Design and Operating Requirements for Above-Ground Storage Tanks			
107	616.705	Closure			
108	010.705	Clobule			
109	Ç	SUBPART L: DE-ICING AGENT STORAGE AND HANDLING UNITS			
110		JOBI ART E. DE-ICHAO AGENT STORAGE AND HANDEHAO UNITS			
111	Section				
112	616.721	Applicability			
113	616.722	Prohibitions			
113	616.723	Groundwater Monitoring			
115	616.724	Design and Operating Requirements for Indoor Storage Facilities			
116	616.725	Closure			
117	010.723	Closure			
117	AUTHODI	ΓY: Implementing Sections 5, 14.4, 21, and 22, and authorized by Section 27 of the			
119	Environmental Protection Act [415 ILCS 5/5, 14.4, 21, 22, 27].				
120	Liiviioiiiilei	ital Frotection Act [413 IECS 3/3, 14.4, 21, 22, 27].			
120	SOUDCE	Adopted in DS0.5 at 16 III. Dog. 1502, affective January 10, 1002; amonded in DS0.			
121	SOURCE: Adopted in R89-5 at 16 Ill. Reg. 1592, effective January 10, 1992; amended in R89-				
123	14(C) at 16 Ill. Reg. 14676, effective September 11, 1992; amended in R92-20 at 17 Ill. Reg.				
123		ive January 28, 1993; amended in R96-18 at 21 Ill. Reg. 6543, effective May 8, ded in R18-26 at 47 Ill. Reg, effective			
125	1997, ailleil	ded iii K16-20 at 47 iii. Reg, effective			
125		SUDDADT A. CENEDAI			
		SUBPART A: GENERAL			
127 128	Section 614	C101 Durmoso			
	Section 010	5.101 Purpose			
129					

130	This Part specifies the prescribes requirements and standards for the protection of groundwater
131	for certain types of new facilities or units located wholly or partially within a setback zone
132	regulated by the Environmental Protection Act (Act) [415 ILCS 5] or within a regulated recharge
133	area <u>underas delineated pursuant to</u> Section 17.4 of the Illinois Environmental Protection Act
134	(Act) [415 ILCS 5/17.4].
135	
136	(Source: Amended at 47 Ill. Reg, effective)
137	
138	Section 616.102 Definitions
139	
140	Except as stated in this Section, and unless a different meaning of a word or term is clear from
141	the context, the definitions of words or terms in this Part are shall be the same as those used in 35
142	Ill. Adm. Code 615.102, the Act, or the Illinois Groundwater Protection Act [415 ILCS 55].
143	, , , , , , , , , , , , , , , , , , ,
144	"New Potential Primary Source" means:
145	
146	A potential primary source which is not in existence or for which
147	construction has not commenced at its location as of January 1, 1988; or
148	construction has not commenced at its tocation as of variating 1, 1700, or
149	A potential primary source which expands laterally beyond the currently
150	permitted boundary or, if the primary source is not permitted, the
151	boundary in existence as of January 1, 1988; or
152	countains in constence as of variating 1, 1500, or
153	A potential primary source which is part of a facility that undergoes majo
154	reconstruction. Such reconstruction shall be deemed to have taken place
155	where the fixed capital cost of the new components constructed within a 2
156	year period exceed 50% of the fixed capital cost of a comparable entirely
157	new facility.
158	new factory.
159	(Section 3.59 of the Act)
160	(Section 3.3) of the rect)
161	"New Potential Route" means:
162	Ten I demantone means.
163	A potential route which is not in existence or for which construction has
164	not commenced at its location as of January 1, 1988; or
165	not commenced at its tocation as of samuary 1, 1700, or
166	A potential route which expands laterally beyond the currently permitted
167	boundary or, if the potential route is not permitted, the boundary in
168	existence as of January 1, 1988.
169	embience as of January 1, 1700.
170	(Section 3.58 of the Act)
171	(because 5.50 of the rect)
172	"New Potential Secondary Source" means:
1/4	Trew I dictitud Secondary Source Intents.

_	•	•
1	7	5
1	7	6
1 1 1 1 1	7	5 6 7 8 9
1	7	8
1	7	9
1	8	0
1	8	0 1 2 3
1	8	2
1	8	3
1	8	<u></u>
1	S S	$\begin{array}{c} 3 \\ 4 \\ 5 \\ 6 \\ 7 \\ 8 \\ 9 \\ 0 \\ 1 \\ 2 \\ 3 \\ 4 \\ 5 \\ 6 \\ 7 \\ 8 \\ 9 \\ 0 \\ 1 \\ 2 \\ 3 \\ \end{array}$
1	S S	6
1	Q Q	7
1	Q	/ Q
1	Q	o o
1	o o	フハ
1	ソ ハ	U 1
1	9 ^	1
1	9	2
1	9	3
1	9	4
1	9	5
1	9	6
1	9	7
1	9	8
1	9	9
2	0	0
2	0	1
2	0	2
2	0	3
2	0	3 4 5 6
2	0	5
2	0	6
2	0	7
		8
2	0	9
2	1	0
	1	1
2		2
2	1	3
2	1	4
2		

A potential secondary source which is not in existence or for which construction has not commenced at its location as of July 1, 1988; or

A potential secondary source which expands laterally beyond the currently permitted boundary or, if the secondary source is not permitted, the boundary in existence as of July 1, 1988, other than an expansion for handling of livestock waste or for treating domestic wastewaters; or

A potential secondary source which is part of a facility that undergoes major reconstruction. Such reconstruction shall be deemed to have taken place where the fixed capital cost of the new components constructed within a 2 year period exceed 50% of the fixed capital cost of a comparable entirely new facility.

(Section 3.60 of the Act)

"Potential Primary Source" means any unit at a facility or site not currently subject to a removal or remedial action which:

Is utilized for the treatment, storage, or disposal of any hazardous or special waste not generated at the site; or

Is utilized for the disposal of municipal waste not generated at the site, other than landscape waste and construction and demolition debris; or

Is utilized for the landfilling, land treating, surface impounding or piling of any hazardous or special waste that is generated on the site or at other sites owned, controlled or operated by the same person; or

Stores or accumulates at any time more than 75,000 pounds above ground, or more than 7,500 pounds below ground, of any hazardous substances.

(Section 3.59 of the Act)

"Potential Route" means abandoned and improperly plugged wells of all kinds, drainage wells, all injection wells, including closed loop heat pump wells, and any excavation for the discovery, development or production of stone, sand or gravel. (Section 3.58 of the Act)

"Potential Secondary Source" means any unit at a facility or a site not currently subject to a removal or remedial action, other than a potential primary source,

216	which:	
217		
218	Is utilized for the landfilling, land treating, or sur	face impounding of
219	waste that is generated on the site or at other site	
220	operated by the same person, other than livestock	and landscape waste,
221	and construction and demolition debris; or	•
222		
223	Stores or accumulates at any time more than 25,0	00 but not more than
224	75,000 pounds above ground, or more than 2,500	
225	pounds below ground, of any hazardous substanc	es; or
226		
227	Stores or accumulates at any time more than 25,0	00 gallons above
228	ground, or more than 500 gallons below ground,	of petroleum, including
229	crude oil or any fraction thereof which is not othe	
230	or designated as a hazardous substance; or	
231		
232	Stores or accumulates pesticides, fertilizers, or re	ad oils for purposes of
233	commercial application or for distribution to reta	il sales outlets; or
234		
235	Stores or accumulates at any time more than 50,0	00 pounds of any de-
236	icing agent; or	•
237		
238	Is utilized for handling livestock waste or for trea	ting domestic
239	wastewaters other than private sewage disposal s	=
240	Private Sewage Disposal Licensing Act [225 ILC	·
241	the Act)	
242	,	
243	(Source: Amended at 47 Ill. Reg, effective)
244		
245	Section 616.104 Exceptions to Prohibitions	
246	•	
247	Section 14.2 of the Act sets forth the process to obtain a waiver or excep	otion from the setback
248	requirements Sections 616.402(a), 616.422(a), 616.442, 616.462(a), 616	
249	or 616.722(a).	
250		
251	a) The owner of a new potential primary source or a potenti	ial secondary source may
252	secure a waiver from the prohibitions specified in Section	
253	616.442, 616.462(a), 616.602, 616.622, 616.702 or 616.7	1 7 7

a) The owner of a new potential primary source or a potential secondary source may secure a waiver from the prohibitions specified in Section 616.402(a), 616.422(a), 616.442, 616.462(a), 616.602, 616.622, 616.702 or 616.722(a) against construction or operation within the setback zone for a potable water supply well other than a community water supply. A written request for a waiver shall be made to the owner of the water well and the Agency. Such request shall identify the new or proposed potential source, shall generally describe the possible effect of such potential source upon the water well and any applicable technology based

control which will be utilized to minimize the potential for contamination, and shall state whether, and under what conditions, the requestor will provide an alternative potable water supply. Waiver may be granted by the owner of the water well no less than 90 days after receipt unless prior to such time the Agency notifies the well owner that it does not concur with the request. (Section 14.2(b) of the Act)

- b) The Agency shall not concur with any such request which fails to accurately describe reasonably foreseeable effects of the potential source or potential route upon the water well or any applicable technology-based controls. Such notification by the Agency shall be in writing, and shall include a statement of reasons for the nonconcurrence. Waiver of the minimum setback zone shall extinguish the water well owner's rights under Section 6b of the Illinois Water Well Construction Code but shall not preclude enforcement of any law regarding water pollution. If the owner of the water well has not granted a waiver within 120 days after receipt of the request or the Agency has notified the owner that it does not concur with the request, the owner of a potential source or potential route may file a petition for an exception with the Board and the Agency pursuant to subsection (b) of this Section. (Section 14.2(b) of the Act)
- e) No waiver under this Section is required where the potable water supply well is part of a private water system as defined in the Illinois Groundwater Protection Act, and the owner of such well will also be the owner of a new potential secondary source or a potential route. In such instances, a prohibition of 75 feet shall apply and the owner shall notify the Agency of the intended action so that the Agency may provide information regarding the potential hazards associated with location of a potential secondary source or potential route in close proximity to a potable water supply well. (Section 14.2(b) of the Act)
- d) The Board may grant an exception from the setback requirements of this Section and Section 14.3 to the owner of a new potential primary source other than landfilling or land treating, or a new potential secondary source. The owner seeking an exception with respect to a community water supply well shall file a petition with the Board and the Agency. The owner seeking an exception with respect to a potable water supply well shall file a petition with the Board and the Agency, and set forth therein the circumstances under which a waiver has been sought but not obtained pursuant to subsection (a) of this Section. A petition shall be accompanied by proof that the owner of each potable water supply well for which setback requirements would be affected by the requested exception has been notified and been provided with a copy of the petition. A petition shall set forth such facts as may be required to support an exception, including a general description of the potential impacts of such potential source or potential route upon groundwaters and the affected water well, and an explanation of the

		cable technology based controls which will be utilized to minimize the utility for contamination of the potable water supply well. (Section 14.2(c) of
	the A	
	the A	. ct)
2)	The I	Do and shall angut an averagion subsurgion it is found upon presentation of
e)		Board shall grant an exception, whenever it is found upon presentation of
		uate proof, that compliance with the setback requirements of this Section
		d pose an arbitrary and unreasonable hardship upon the petitioner, that the
		oner will utilize the best available technology controls economically
		ryable to minimize the likelihood of contamination of the potable water
		ly well, that the maximum feasible alternative setback will be utilized, and
		the location of such potential source or potential route will not constitute a
	signij	ficant hazard to the potable water supply well. (Section 14.2(c) of the Act)
0	4 7	
1)		cision made by the Board pursuant to this subsection shall constitute a final
	deter	mination. (Section 14.2(c) of the Act)
	and a	
g)	- '	granting of an exception by the Board shall not extinguish the water well
		r's rights under Section 6b of the Illinois Water Well Construction Code in
		nces where the owner has elected not to provide a waiver pursuant to
	subse	ection (a) of this Section. (Section 14.2(c) of the Act)
48		1 1 45 H D
(Sou	rce: An	nended at 47 Ill. Reg, effective)
a .•	40= ~	
Section 616	.105 Ge	eneral Exceptions
a)		Part does not apply to any facility or unit, or to the owner or operator of any
	facili	ty or unit, for which:
	4.	
	1)	The owner or operator obtains certification of minimal hazard
		<u>underpursuant to</u> Section 14.5 of the Act; or
	2)	
	2)	Alternate requirements are imposed in an adjusted standard proceeding or
		in a site-specific rulemaking, underpursuant to Title VII of the Act; or
	2)	
	3)	Alternate requirements are imposed in a regulated recharge area
	3)	Alternate requirements are imposed in a regulated recharge area proceeding underpursuant to Section 17.4 of the Act; or
	ŕ	proceeding underpursuant to Section 17.4 of the Act; or
	3)4)	proceeding <u>underpursuant to</u> Section 17.4 of the Act; or The owner or operator of the facility for storage and related handling of
	ŕ	proceeding <u>underpursuant to</u> Section 17.4 of the Act; or The owner or operator of the facility for storage and related handling of pesticides or fertilizers for the purpose of commercial application or at a
	ŕ	proceeding <u>underpursuant to</u> Section 17.4 of the Act; or The owner or operator of the facility for storage and related handling of pesticides or fertilizers for the purpose of commercial application or at a central location for the purpose of distribution to retail sales outlets that
	ŕ	proceeding <u>underpursuant to</u> Section 17.4 of the Act; or The owner or operator of the facility for storage and related handling of pesticides or fertilizers for the purpose of commercial application or at a central location for the purpose of distribution to retail sales outlets that has filed a written notice of intent <u>underpursuant to</u> Section 14.6 of the Act
	ŕ	proceeding <u>underpursuant to</u> Section 17.4 of the Act; or The owner or operator of the facility for storage and related handling of pesticides or fertilizers for the purpose of commercial application or at a central location for the purpose of distribution to retail sales outlets that
		f) A decentry g) The grands (Source: Am Section 616.105 Geo a) This lateral subsets This lateral subsets

345		a regulated recharge area regulation is adopted that affects such a
346		facility; or has filed a written certification of intent under pursuant to
347		Section 14.6 of the Act on the appropriate license or renewal application
348		form submitted to the Department of Agriculture or other appropriate
349		agency. [415 ILCS 5/14.6] (Section 14.6(a) of the Act). This exception
350		doesshall not apply to those facilities that are not in compliance with the
351		program requirements of Sections subsections 14.6(b) and 14.6(c) of the
352		Act.
353		
354	b)	Nothing in this Section <u>limits</u> the authority of the Board to impose
355	,	requirements on any facility or unit within any portion of any setback zone or
356		regulated recharge area in any adjusted standard proceeding, site-specific
357		rulemaking, or a-regulatory proceeding establishing the regulated recharge area.
358		
359	(Sour	ce: Amended at 47 Ill. Reg, effective)
360	`	<i>C</i>
361	S	SUBPART B: GROUNDWATER MONITORING REQUIREMENTS
362		
363	Section 616.2	202 Compliance Period
364		•
365	The complian	nce period is the active life of the unit, including closure and post-closure care
366	periods.	
367	1	
368	a)	The active life begins when the unit first begins operation or one year after the
369	,	date of first applicability, whichever occurs later, and ends when the post-closure
370		care period ends.
371		•
372	b)	The post-closure care period for units other than pesticide storage and handling
373	,	units subject to Subpart I and fertilizer storage and handling units subject to
374		Subpart J is five years after closure, except as provided inat Section 616.211(e).
375		
376	c)	The post-closure care period for pesticide storage and handling units subject to
377	,	Subpart I and for fertilizer storage and handling units subject to Subpart J is three
378		years after closure, except as provided inat Section 616.211(e).
379		<u> </u>
380	d)	Despite subsections Subsections (a), (b), and (c)-notwithstanding, no post-closure
381	,	care period is required if all waste, waste residues, contaminated containment
382		system components, and contaminated subsoils are removed or decontaminated at
383		closure, and no ongoing corrective action is required <u>underpursuant to</u> Section
384		616.211.
385		
386	(Source	ce: Amended at 47 Ill. Reg, effective)
387		

388 Section 616.203 Compliance With Groundwater Standards 389 390 The owner or operator mustshall comply with the groundwater standards. 391 392 The term of compliance is the compliance period. a) 393 394 Compliance mustshall be measured at the compliance point, or compliance points b) 395 if more than one such point exists. 396 (Source: Amended at 47 Ill. Reg. _____, effective _____) 397 398 399 **Section 616.205 Groundwater Monitoring Program** 400 401 The owner or operator mustshall develop a groundwater monitoring program that consists of: 402 403 a) Consistent sampling and analysis procedures that are designed to ensure 404 monitoring results that provide a reliable indication of groundwater quality below 405 the unit. At a minimum, the program must include procedures and techniques for: 406 407 1) Sample collection; 408 409 2) Sample preservation and shipment; 410 411 3) Analytical procedures; and 412 413 4) Chain of custody control. 414 415 Sampling and analytical methods that are appropriate for groundwater monitoring b) 416 and that allow for detection and quantification of contaminants specified in this 417 Subpart, and that are consistent with the sampling and analytical methods 418 specified in 35 Ill. Adm. Code 620. 419 420 Determining A determination of the groundwater head elevation each time c) 421 groundwater is sampled. 422 423 d) Determining A determination at least annually of the groundwater flow rate and 424 direction. 425 426 e) If the owner or operator determines that the groundwater monitoring program no 427 longer satisfies the requirements of this Section, the owner or operator mustshall, 428 within 90 days, make appropriate changes to the program. Conditions under 429 which a groundwater monitoring program no longer satisfies the requirements of 430 this Section include, but are not limited to:

431			
432		1)	A Maximum Allowable Result (MAR) is exceeded in any monitoring well
433		,	that is being used as a background monitoring well or that the owner or
434			operator has previously determined to be hydraulically upgradient from
435			the facility; or
436			
437		2)	A redetermination of groundwater flow rate and direction conducted
438		-/	under pursuant to subsection (d) shows that the existing monitoring system
439			is not capable of assessing groundwater quality at the compliance points or
440			points.
441			points.
442	(Source	e: Ame	ended at 47 Ill. Reg, effective)
443	(Boure	C. 7 IIIIC	made at 17 m. reg
444	Section 616.2	06 Rer	orting
445	Section 010.2	oo ne	witing .
446	The owner or	onerato	r mustshall submit the results of all monitoring required underpursuant to
447		-	gency within 60 days after completion of sampling is completed.
448	uns Suopart to	ine Ag	citey within 60 days after completion of sampling is completed.
449	(Source	e. Ame	ended at 47 Ill. Reg, effective)
450	(Source	c. And	chided at 47 III. Reg
451	Section 616 2	07 Det	ermining Background Values and Maximum Allowable Results
452	(<u>"MARs"</u>)	or Dec	erimining background values and maximum mowable results
453	(-MAKS-)		
454	a)	The ox	vner or operator mustshall, by the startbeginning no later than the beginning
455	a)		ration of the unit and continuing for a period of at least one year, sample
456		-	nonitoring well at least every two months and analyze each such sample
457			ing to the following program:
458		accord	ing to the following program.
459		1)	For a unit subject to Subpart E (land treatment units), Subpart F (surface
460		1)	
			impoundments), Subpart K (road oil storage and handling units), or
461 462			Subpart L (de-icing agent storage and handling units), <u>samples analysis</u>
463			mustshall be analyzed for pH, specific conductance, total organic carbon,
464			total organic halogen, and any other parameter that meets the following
465			criteria:
			A) Metarial containing the such monometer is stored treated on
466			A) Material containing the such parameter is stored, treated, or
467			disposed of at the unit; and
468			D) There is a second device a dead for the second second
469			B) There is a groundwater standard for <u>the</u> such parameter.
470		2)	England and in the Calment I found to the second I found I found to the second I found to the second I found I found to the second I found
471		2)	For a unit subject to Subpart I for the storage and handling of pesticides,
472			analysis <u>mustshall</u> be for each pesticide stored or handled at the unit.
473			

- 3) For a unit subject to Subpart J for the storage and handling of fertilizer, samples analysis mustshall be analyzed for pH, specific conductance, total organic carbon, nitrates as nitrogen, ammonia nitrogen, and for any other parameter that meets the following criteria:
 - A) Material containing <u>the</u>such parameter is stored or handled at the unit; and
 - B) There is a groundwater standard for <u>the</u>such parameter.
- b) The results obtained under subsection (a) <u>mustshall</u> be used to calculate the background mean, background standard deviation, and the Maximum Allowable Result (<u>hereinafter referred to as "MAR"</u>) for each parameter using the following procedures:
 - 1) Results from all samples collected during the year must be used in the calculations unless the owner or operator demonstrates to the Agency that one or more of the results was due to error in sampling, analysis, or evaluation.
 - 2) All calculations must be based on a minimum of at least six sample measurements per parameter per well.
 - 3) If any measured value is equal to or greater than its PQL, or if any measured value is greater than its corresponding groundwater standard, the actual measured value must be used to calculate ealeulating the mean and standard deviation.
 - 4) If any measured value is less than its PQL and less than its corresponding groundwater standard, the PQL rather than the measured value <u>must</u> is to be used in calculating the mean and standard deviation.
 - 5) Except for pH, the MAR is the quantity equal to the measured mean value of the contaminant plus the product of the contaminant's standard deviation times the following constant:

Sample Size	<u>Constant</u>
6	2.10
7	2.03
8	1.97
9	1.93
10	1.90
11	1.88

510				12 13 14	1.85 1.84 1.82	
510		-\			- · ·	
511		6)				equal to the measured
512			background mean p			_
513			standard deviation of	-	imes the constant	tabulated in
514			subsection $(b)(a)(5)$			
515						
516		7)	± '		•	qual to the measured
517			background mean p	-		_
518			standard deviation of	of the samples the	imes the constant	tabulated in
519			subsection (b)(a)(5)			
520						
521	(Sourc	e: Ame	ended at 47 Ill. Reg. ₋	, effectiv	ve)
522						
523	Section 616.2	08 Cor	tinued Sampling			
524						
525	Upon complet	ion of the	he background samp	ling required ur	nder pursuant to Se	ection 616.207, the
526	owner or opera	ator <u>mu</u>	st <mark>shall</mark> sample each r	monitoring well	l for the duration of	of the compliance
527			ch sample, except as			
528	following prog	gram:				•
529						
530	a)	For a u	init subject to Subpar	rt E (land treatn	nent units) or Sub	part F (surface
531	,		ndments), <u>samples</u> sa			<u> </u>
532		-				l organic carbon, total
533			c halogen, and any of	1 1		_
534		U	5	1		C
535		1)	Material containing	the such parame	eter is stored, trea	ted, or disposed of at
536		,	the unit; and			
537						
538		2)	The Board has adop	oted a groundwa	ater standard for th	he such parameter.
539		_/		6		
540	b)	For a n	init subject to Subpar	rt I for the stora	ge and handling c	of pesticides
541	3)		es sampling must shall			-
542		_	tion (d), and analyze		•	
543				•		les stored or handled
544						ater from the unit and
545				-	_	oose the five specific
546			des or five groups ba	-		soss the five specific
547		Pestici	acs of five groups ba	ised apon the ro	mowing cincina.	
548		1)	The volume of the p	esticides stores	d or handlad at the	ıınit·
540		1)	The volume of the p	resultates stolet	i or manufed at the	, uiiit,

550		2) The 1	leachability characteristics of the pesticides stored or handled at the
551		unit;	
552			
553		3) The	toxicity characteristics of the pesticides stored or handled at the unit;
554			
555		4) The l	history of spillage of the pesticides stored or handled at the unit; and
556			
557		5) Any	groundwater standards for the pesticides stored or handled at the unit.
558		-	- -
559	c)	For a unit su	bject to Subpart J for the storage and handling of fertilizer,
560		samples sam	pling mustshall be collected at least quarterly, except as provided in
561		subsection (d), and <u>analyzed</u> analysis shall be for pH, total organic carbon, nitrates
562		as nitrogen,	ammonia nitrogen, and specific conductance.
563		_	·
564	d)	Despite subs	sections Subsections (b) and (c) notwithstanding, for a unit subject to
565		Subpart I for	r the storage and handling of pesticides or for a unit subject to Subpart
566		J for the stor	rage and handling of fertilizers, samplessampling mustshall be
567		collected at 1	least semi-annually if provided that all of the following conditions are
568		met:	•
569			
570		1) The	unit is in compliance with the containment requirements of 8 Ill.
571		Adm	a. Code 255; and
572			
573		2) Ther	e have been no detections within the preceding two years in any of
574			nonitoring wells of any contaminant stored or handled at the facility
575			any contaminant attributable to the operation of the unit.; and
576			<u> </u>
577	e)	For a unit su	bject to Subpart K for the storage and handling of road oils or subject
578			for the storage and handling of de-icing agents, samples sampling
579		-	e collected annually and analyzedanalysis shall be for pH, specific
580		conductance	e, total organic carbon, and total organic halogen.
581			
582	(Sourc	e: Amended	at 47 Ill. Reg, effective)
583	·		
584	Section 616.2	09 Preventiv	ve Notification and Preventive Response
585			•
586	a)	Preventive n	notification is required for each well in which:
587			•
588		1) A M	AR is found to be exceeded (except for pH); or
589			· · · · · · · · · · · · · · · · · · ·
590		2) Ther	e is a detection of any contaminant:
591		,	•
592		A)	Required to be monitored under Section 616.207(a);

636 637	e)	Based upon the report in subsection (d) as well as any other relevant information
		available to the Agency, the Agency must shall provide a written response to the
638		owner or operator that specifies either:
639		
640		1) Concurrence with the preventive response being undertaken; or
641		
642		2) Non-concurrence with the preventive response being undertaken and a
643		description of the inadequacies of such action.
644		
645	f)	An owner or operator who receives a written response of concurrence
646		<u>underpursuant to</u> subsection (e) <u>mustshall</u> provide periodic program reports to the
647		Agency regarding the implementation of the preventive response.
648		
649	g)	An owner or operator who receives a written response of non-concurrence
650		<u>underpursuant to</u> subsection (e) <u>must, shall have</u> <u>within</u> 30 days <u>after receiving the</u>
651		response, to correct the inadequacies and to resubmit the report to the Agency or
652		to-request a conference with the Agency. Within 30 days after receiving Upon
653		receipt of a written request for such a conference, the Agency mustshall schedule
654		and hold the conference—within 30 days. Following thea conference, the Agency
655		mustshall provide the owner or operator with a final determination regarding the
656		adequacy of the preventive response.
657		and the state of t
658	h)	An owner or operator is shall be responsible for implementing adequate preventive
659	/	response as determined under pursuant to this Section.
660		response as determined direct particular to this section.
661	i)	After completion of preventive response, the concentration of a
662	1)	contaminant contamination listed in 35 Ill. Adm. Code 620.310(a)(3)(A) in
663		groundwater may exceed 50 percent of the applicable numerical standard in 35 III.
664		Adm. Code 620.Subpart D only if the following conditions are met:
665		Adm. Code 020.5dopart D only if the following conditions are met.
666		1) The <u>exceedance</u> has been minimized to the extent practicable;
667		The <u>exceedence</u> has been minimized to the extent practicable,
668		2) Beneficial use, as appropriate for the class of groundwater, has been
669		assured; and
670		assured, and
671		3) Any threat to public health or the environment has been minimized.
672		3) Any threat to public health or the environment has been minimized.
673	:)	Nothing in this Section limits shall in any way limit the authority of the State or
	j)	,
674 675		the United States to require or perform any corrective action process.
675 676	(Carre	on Amended at 47 III. Dog affective
676	(Sourc	ee: Amended at 47 Ill. Reg, effective)
677	Continue (16.3	110. Compositive Action Duognam
678	Section 010.2	10 Corrective Action Program

Whenever any applicable groundwater standard under 35 Ill. Adm. Code 620.Subpart D is exceeded, an owner or operator <u>mustshall be required to</u> undertake the following corrective action:

a) Notify the Agency of the need to undertake a corrective action program when submitting the groundwater monitoring results required <u>underpursuant to</u> Section 616.206. The notification must indicate in which wells and for which parameters a groundwater standard was exceeded.

b) Continue to sample and analyze according to the provisions of Section 616.208(a), except that:

 1) For <u>a unitall units</u> subject to Subpart I for the storage and handling of pesticides, <u>samplesthe frequency of all such sampling mustshall</u> be <u>collected</u> quarterly until no measured values above the groundwater standard have been recorded for any parameter for two consecutive quarters.

2) For a unit subject to Subpart J for the storage and handling of fertilizers, samplessampling mustshall be collected quarterly for the parameters specifiedset forth in Section 616.207(a)(3) that are stored or handled at the unit until no measured values above the groundwater standard have been recorded for two consecutive quarters.

c) If sample values above any groundwater standard are confirmed <u>underpursuant to</u> Section 616.209(b), the owner or operator <u>mustshall</u>:

1) Submit to the Agency an engineering feasibility plan for a corrective action program designed to achieve the requirements of subsection (e) through (i)(j).

A) The Such feasibility plan mustshall be submitted to the Agency within 180 days after the date of the sample in which a groundwater standard was initially exceeded.

B) The This requirement under subsection (c) is waived if no groundwater standard is exceeded in any sample taken under pursuant to subsection (b) for two consecutive quarters.

d) Except as provided in subsection (c)(1)(B), the Agency <u>mustshall</u> provide a written response to the owner or operator based upon the engineering feasibility plan and any other relevant information that specifies either:

- 1) Concurrence with the feasibility plan for corrective action; or
- 2) Non-concurrence with the feasibility plan for corrective action and a description of the inadequacies of the such plan.
- e) An owner or operator who receives a written response of concurrence underpursuant to subsection (d) mustshall provide periodic progress reports to the Agency regarding implementation the implementing of the corrective action preventive response.
- An owner or operator who receives a written response of non-concurrence underpursuant to subsection (d) must, shall have within 30 days after receiving the response, to correct the inadequacies and to resubmit the report to the Agency or to request a conference with the Agency. Within 30 days after receiving Upon receipt of a written request for such a conference, the Agency must shall schedule and hold the conference within 30 days. Following thea conference, the Agency must shall provide the owner or operator with a final determination regarding the adequacy of the corrective action.
- g) An owner or operator <u>isshall be</u> responsible for implementing adequate <u>corrective</u> actionpreventive response as determined underpursuant to this Section.
- h) Except as provided in subsection (c)(1)(B), the owner or operator mustshall:
 - 1) Begin the corrective action program specified in the engineering feasibility plan <u>byno later than</u> the date of receipt of concurrence from the Agency.
 - 2) Establish and implement a groundwater monitoring program to demonstrate the effectiveness of the corrective action program.
 - 3) Take corrective action that results in compliance with the groundwater standards:
 - A) At all compliance points; and
 - B) Beyond the unit boundary, <u>if where</u> necessary to protect human health and the environment, unless the owner or operator demonstrates to the Agency that, despite the owner's or operator's best efforts, the owner or operator was unable to obtain the necessary permission to undertake such action. The owner or operator is not relieved of any responsibility to clean up a release

765 that has migrated beyond the unit boundary where off-site access is 766 denied. 767 768 4) Continue corrective action measures to the extent necessary to ensure that 769 no groundwater standard is exceeded at the compliance point or points. 770 771 5) The owner or operator may terminate corrective action measures taken 772 beyond the compliance period as identified inat Section 616.202 if the 773 owner or operator can demonstrate, based on data from the post-closure 774 groundwater monitoring program under subsection (h)(2), that no 775 groundwater standard has been exceeded for a period of three consecutive 776 years. 777 778 6) Report in writing to the Agency on the effectiveness of the corrective 779 action program. The owner or operator mustshall submit these reports 780 semi-annually. 781 782 7) If the owner or operator determines that the corrective action program no 783 longer satisfies the requirements of this Section, the owner or operator 784 mustshall, within 90 days, make any appropriate changes to the program. 785 786 i) Subsections (b), (c), and (f) do not apply if the owner or operator makes an 787 alternative corrective action demonstration underpursuant to Section 616.211. 788 (Source: Amended at 47 Ill. Reg. _____, effective _____) 789 790 791 **Section 616.211 Alternative Corrective Action Demonstration** 792 793 If a corrective action program is required underpursuant to Section 616.210, it is presumed that 794 contamination from the facility or unit that is being monitored is responsible for the groundwater 795 standard being exceeded. An owner or operator may overcome that presumption by making a 796 demonstration that a source other than the facility or unit that is being monitored caused the 797 groundwater standard to be exceeded, or that the cause of the groundwater standard being 798 exceeded is due to error in sampling, analysis or evaluation. 799 800 In making thesuch demonstration, the owner or operator mustshall: a) 801 802 1) Notify the Agency that the owner or operator intends to make a 803 demonstration under this Section when submitting the groundwater 804 monitoring results underpursuant to Section 616.206; and 805 806 2) Submit a report to the Agency that demonstrates that a source other than a 807 facility or unit owned or operated by for which he is the owner or operator

808		caused the groundwater standard to be exceeded, or that the groundwater
809		standard was exceeded due to an error in sampling, analysis or evaluation.
810		This Such report must be included with the next submission of
811		groundwater monitoring results required under pursuant to Section
812		616.206. and
813		
814	b)	The Agency mustshall provide a written response to the owner or operator, based
815	- /	upon the written demonstration and any other relevant information, that specifies
816		either:
817		
818		1) Concurrence with the written demonstration for alternative corrective
819		action with requirements to continue to monitor in compliance accordance
820		with the groundwater monitoring program established <u>underpursuant to</u>
821		Sections 616.205 and 616.210; or
822		Sections 010.203 and 010.210, or
823		2) Non-concurrence with the written demonstration for alternative corrective
824		
		action and a description of the inadequacies of such demonstration.
825	`	A
826	c)	An owner or operator who receives a written response of non-concurrence
827		underpursuant to subsection (b) must, within(c) shall have 30 days after receiving
828		the response, to so respond to the Agency in writing or to request a conference
829		with the Agency. Within 30 days after receiving Upon receipt of a written request
830		for such a conference, the Agency <u>mustshall</u> schedule and hold the conference
831		within 30 days. Following thea conference, the Agency mustshall provide the
832		owner or operator with a final determination regarding the adequacy of the
833		alternative corrective action.
834		
835	d)	The owner or operator <u>mustshall</u> begin the corrective action program in
836		<u>compliance</u> accordance with the requirements of Section 616.210(f).
837		
838	(Sour	ce: Amended at 47 Ill. Reg, effective)
839		
840	SUBP	ART C: GENERAL CLOSURE AND POST-CLOSURE REQUIREMENTS
841		
842	Section 616.3	302 Closure Performance Standard
843		
844	The owner or	operator must shall close the unit in a manner that:
845		·
846	a)	Controls, minimizes, or eliminates, to the extent necessary to protect human
847	/	health and the environment, post-closure escape of waste, waste constituents,
848		leachate, contaminated runoff, or waste decomposition products to soils,
849		groundwaters, surface waters, or the atmosphere;
850		520 shieth materials, or the authorphotos,

851	b)	Minimizes the need for maintenance during and beyond the post-closure care
852		period; and
853 854	2)	Complies with the elegate requirements of 25 III. Adm. Code: Subtitles C and C
855	c)	Complies with the closure requirements of 35 Ill. Adm. Code: Subtitles C and G.
856	(Sour	ce: Amended at 47 Ill. Reg, effective)
857	(Sour	cc. Amended at 47 m. Reg, effective)
858	Section 616	303 Certification of Closure
859	Section 010.	505 Certification of Closure
860	Within 60 da	ys after the completion of closure of each unit is completed, the owner or operator
861		omit to the Agency, by registered or certified mail, a certification that the unit has
862		n compliance accordance with the closure requirements. The certification must be
863		e owner or operator and by an independent registered professional engineer.
864		on supporting the independent registered professional engineer's certification must
865		to the Agency upon request.
866		to the regime, upon requesti
867	(Sour	ce: Amended at 47 Ill. Reg, effective)
868	(,
869	Section 616.	304 Survey Plat
870		v
871	a)	Before No later than the submission of the certification of closure of each unit, the
872		owner or operator must record with land titles and shall submit to the Agency and
873		any local zoning authority, or authority with jurisdiction over local land use, and
874		to the Agency, and record with land titles, a survey plat indicating the location
875		and dimensions of any waste disposal units, and any pesticide or fertilizer storage
876		and handling units, with respect to permanently surveyed benchmarks. This plat
877		must be prepared and certified by a registered land surveyor.
878		
879	b)	For pesticide storage and handling units or for fertilizer storage and handling
880		units, records or reports required under any other <u>State</u> state or <u>federal</u> Federal
881		regulatory program and which contain the information required <u>under subsection</u>
882		(a) above may be used to satisfy that this reporting requirement.
883		
884	(Sour	ce: Amended at 47 Ill. Reg, effective)
885		
886	Section 616.	305 Post-Closure Notice for Waste Disposal Units

<u>Within No later than</u> 60 days after certification of closure of the unit, the owner or operator of a unit subject to <u>SubpartSubparts</u> D, E, or F <u>mustshall</u> submit to the Agency, <u>to-</u>the County Recorder, and <u>to-</u>any local zoning authority, or authority with jurisdiction over local land use, a record of the type, location and quantity of wastes disposed of within each cell or other area of the unit.

394 395	(Sou	rce: Ai	nended at 47 Ill. Reg	, effective)
893 896	Section 616	.306 C	ertification of Completio	on of Post-closure C	are
397					
398			•	-	ost-closure care period, the
399	owner or op	erator <u>r</u>	<u>nust<mark>shall</mark> submit to the Ag</u> o	ency, by registered o	r certified mail, a certification
900	that the post	-closur	e care period for the unit w	as performed in con	<u>npliance</u> accordance with the
901	-				must be signed by the owner
902	-			_	Documentation supporting the
903			red professional engineer's	s certification must b	e furnished to the Agency
904	upon reques	t.			
905					
906	(Sou	rce: Ai	nended at 47 Ill. Reg	, effective)
907					
800			SUBPART D: C	ON-SITE LANDFILI	LS
909					
910	Section 616	.401 A	pplicability		
911					
912	-				y or partially within a setback
913	_		_	-	ther waste generated on-site,
914	except that t	this Sub	part does not apply to any	new landfill unit tha	t:
915	,	C			1
916	a)				rdous waste, livestock waste,
917		land	scape waste, or construction	on and demolition de	bris; or
918	1-1	I. av	annut fuam this Dout we dow	munayant ta Castian (516 105
919	b)	is ex	empt from this Part <u>under</u>	pursuant to Section 6	010.105.
920	(Cov.	A.	mandad at 17 III. Dag	offo otivo	,
921 922	(Sou	ice. Ai	nended at 47 Ill. Reg	, effective)
923	Section 616	402 P	rohibitions		
)23)24	Section 010	.402 I	UIIIDIUUIIS		
925	a)	Und	erDurquant to Sections 14	2(a) 14.2(c) and 14	3(e) of the Act, a person must
926	α)				or operation of any landfill uni
927		that	_	ow the construction (or operation of any fanding uni
928		tilat	10.		
929		1)	Located wholly or parti	ially within a minim	um setback zone and that is
930		1)	• •	•	ew potential secondary source.
931			except as specified in S	•	<u> </u>
932			or o		× ×-77
933		2)	Located wholly or parti	ially within a maxim	um setback zone and that is a
934		,	• •	•	cified in Section 616.104(b).
935			1 1	,	(-)
36	b)	A ne	erson must not No person sl	hall cause or allow th	ne disposal of special waste in

937		a new on-site landfill unit within a regulated recharge area if the distance from the
938		wellhead of the community water supply well to the landfill unit is 2500 feet or
939		less, except as provided <u>inat</u> Section 616.105.
940		
941	(Sour	ce: Amended at 47 Ill. Reg, effective)
942		
943		SUBPART E: ON-SITE LAND TREATMENT UNITS
944		
945	Section 616.4	421 Applicability
946		
947	-	applies to new land treatment units that are located wholly or partially within a
948		or regulated recharge area and that treat or dispose of special waste or other waste
949	generated on-	site, except that this Subpart does not apply to any new land treatment unit that:
950		
951	a)	Contains solely one or more of the following: hazardous waste, livestock waste,
952		landscape waste, or construction and demolition debris; or
953	1.	I (C) (1) D (1) (C) (C) (C) (C) (C)
954	b)	Is exempt from this Part <u>underpursuant to</u> Section 616.105.
955	(Cour	and Amended at 47 III. Dog affective
956 957	(Sour	ce: Amended at 47 Ill. Reg, effective)
958	Section 616	422 Prohibitions
959	Section 010.	
960	a)	Under Pursuant to Sections 14.2(a), 14.2(c), and 14.3(e) of the Act, a person must
961	u)	not no person shall cause or allow the construction or operation of any land
962		treatment unit that is:
963		
964		1) Located wholly or partially within a minimum setback zone and that is
965		either a new potential primary source or a new potential secondary source,
966		except as specified in Sections 616.104(a) and (b); or
967		1 1
968		2) Located wholly or partially within a maximum setback zone and that is a
969		new potential primary source, except as specified in Section 616.104(b).
970		
971	b)	Nothing in this Section prohibits, shall prohibit land treatment within a maximum
972		setback zone regulated by the Act, land treatment of sludge resulting from the
973		treatment of domestic wastewater or of sludge resulting from the treatment of
974		water to produce potable water, if the land treatment is such activities are
975		conducted in compliance accordance with the Act and 35 Ill. Adm. Code: Subtitle
976		C.
977		
978	(Sour	ce: Amended at 47 Ill. Reg, effective)
979		

980	Section 616.	423 Groundwater Monitoring
981	TD1	
982	The owner o	r operator <u>mustshall</u> comply with the requirements of Subpart B.
983	(C	A 1 1 (47 TH D
984	(Sour	rce: Amended at 47 Ill. Reg, effective)
985	G	424 D. C. 10
986	Section 616.	424 Design and Operating Requirements
987	TP1	noncontant many table 11. declarate and an exist the found to extreme the first
988		r operator mustshall design and operate the land treatment site in
989	<u>compliance</u>	ecordance with 35 Ill. Adm. Code: Subtitle C and 35 Ill. Adm. Code: Subtitle G.
990	(Cauc	and Amended at 47 III Dec
991	(Sour	rce: Amended at 47 Ill. Reg, effective)
992	C4 (1)	435 Classes and Dark Classes
993 994	Section 616.	425 Closure and Post-Closure
99 4 995	The owner o	r operator mustshall comply with the requirements of Subpart C.
996	The Owner O	operator inust shan compry with the requirements of Subpart C.
990 997	(Sour	rce: Amended at 47 Ill. Reg, effective)
998	(Sour	ce. Amended at 47 m. Reg, effective)
999		SUBPART F: ON-SITE SURFACE IMPOUNDMENTS
1000		SODIARTY. ON-SITE SURFACE IVII OUNDIVIENTS
1001	Section 616	441 Applicability
1001	beetion oro.	11 Applicability
1002	This Subpart	applies to new surface impoundment units that are located wholly or partially
1003		ack zone or regulated recharge area and that contain special waste or other waste
1005		-site, except that this Subpart does not apply to any new surface impoundment unit
1006	that:	site, except that this subpart does not apply to any new surface impoundment and
1007	tilut.	
1008	a)	Contains solely one or more of the following: hazardous waste, livestock waste,
1009	u)	landscape waste, or construction and demolition debris; or
1010		initiation decire, or construction and demonition decire, or
1011	b)	Is exempt from this Part under pursuant to Section 616.105.
1012	-,	
1013	(Sou	rce: Amended at 47 Ill. Reg, effective)
1014	(12.2.3)	,
1015	Section 616.	442 Prohibitions
1016		
1017	Under Pursua	unt to Sections 14.2(a), 14.2(c), and 14.3(e) of the Act, a person must not no person
1018		r allow the construction or operation of any surface impoundment unit that is:
1019		
1020	a)	Located wholly or partially within a minimum setback zone and that is either a
1021	,	new potential primary source or a new potential secondary source, except as
1022		specified in Sections 616.104(a) and (b); or

1023		
1024	b)	Located wholly or partially within a maximum setback zone and that is a new
1025		potential primary source, except as specified in Section 616.104(b).
1026		
1027	(Sour	ce: Amended at 47 Ill. Reg, effective)
1028	G 41 (16)	
1029	Section 616.4	443 Groundwater Monitoring
1030	The evyment on	a monoton may stabell comply with the magninements of Cubnaut D
1031 1032	The owner of	operator mustshall comply with the requirements of Subpart B.
1032	(Sour	ce: Amended at 47 Ill. Reg, effective)
1034	(Sour	cc. Amended at 47 III. Reg, effective)
1035	Section 616.4	444 Design Requirements
1036	Section 010.	The Besign Requirements
1037	a)	The owner or operator of a surface impoundment mustshall install two or more
1038		liners and a leachate collection system between the such liners. This requirement
1039		to install The requirement for the installation of two or more liners in this
1040		subsection may be satisfied by installingthe installation of a top liner designed,
1041		operated, and constructed of materials to prevent the migration of any constituen
1042		into the such liner during the period the such facility remains in operation
1043		(including any post-closure monitoring period), and a lower liner designed,
1044		operated, and constructed of materials to prevent the migration of any constituen
1045		through the such liner during that such period. For the purpose of the preceding
1046		sentence, a lower liner satisfies shall be deemed to satisfy the such construction
1047		requirement if it is constructed of at least a 5-foot thick layer of recompacted clar
1048		or other natural material with a permeability of no more than $1 \times 10^{(-7)}$ centimeter
1049		per second.
1050		
1051	b)	A surface impoundment must be designed, constructed, maintained, and operated
1052		to prevent overtopping resulting from normal or abnormal operations; overfilling
1053		wind and wave action; rainfall; run-on; malfunctions of level controllers, alarms,
1054		and other equipment; and human error.
1055		
1056	c)	A surface impoundment must have dikes that are designed, constructed, and
1057		maintained with sufficient structural integrity to prevent massive failure of the
1058		dikes. In ensuring structural integrity, it must not be presumed that the liner
1059		system will function without leakage during the active life of the surface
1060		impoundment.
1061		
1062	d)	The owner or operator <u>mustshall</u> maintain the following items:
1063		
1064		1) Records describing the contents of the impoundment; and
1065		

1066 1067		2)	A map showing the exact location and dimensions of the impoundment, including depth with respect to permanently surveyed benchmarks.
1068			
1069	(Source	ce: An	nended at 47 Ill. Reg, effective)
1070 1071	Section 616.4	145 In	spection Requirements
1072			
1073 1074	a)	dama	ng construction and installation, liners must be inspected for uniformity, age, and imperfections (e.g., holes, cracks, thin spots, or foreign materials).
1075 1076		Imm	ediately after construction or installation:
1077 1078		1)	Synthetic liners and covers must be inspected to ensure tight seams and joints and the absence of tears, punctures, and blisters; and
1079 1080		2)	Soil-based and admixed liners and covers must be inspected for
1081 1082			imperfections including lenses, cracks, channels, root holes, or other structural non-uniformities that may cause an increase in the permeability
1083			of that liner or cover.
1084			
1085	b)		ng operation, While a surface impoundment is in operation, it must be
1086		inspe	ected weekly and after storms to detect evidence of any of the following:
1087		1)	
1088 1089		1)	Deterioration, malfunctions, or improper operation of overtopping contro systems;
1090			
1091 1092		2)	Sudden drops in the level of the impoundment's contents;
1093 1094		3)	Severe erosion or other signs of deterioration in dikes or other containment devices; or
1095			
1096		4)	A leaking dike.
1097			-
1098	(Source	ce: An	nended at 47 Ill. Reg, effective)
1099			
1100	Section 616.4	46 O	perating Requirements
1101			
1102 1103	a)		rson must not No person shall cause or allow incompatible materials to be ed in the same surface impoundment unit.
1104		F	r
1105	b)	A su	rface impoundment unit must be removed from service in
1106		comp	bliance accordance with subsection (c) when:
1107		-	
1108		1)	The level of liquids in the unit suddenly drops and the drop is not known

1109		to be caused by changes in the flows into or out of the unit; or
1110		The dilector
1111		2) The dike leaks.
1112 1113	2)	When a surface impoundment unit is must be removed from service as required by
1113	c)	subsection (b), the owner or operator mustshall:
1115		subsection (b), the owner of operator must shan.
1116		1) Shut off the flow or stop the addition of wastes into the impoundment uni
1117		5 Shut off the flow of stop the addition of wastes into the impoundment thin
1118		2) Contain any surface leakage that has occurred or is occurring;
1119		2) Contain any surface leakage that has occurred of is occurring,
1120		3) Stop the leak;
1121		5) Stop the leak,
1122		4) Take any other necessary steps to stop or prevent catastrophic failure;
1123		tune unit content necessary steps to stop of provent content number,
1124		5) If a leak cannot be stopped by any other means, empty the impoundment
1125		unit; and
1126		
1127		6) Notify the Agency of the removal from service and corrective actions that
1128		were taken, such notice to be given within 10 days after the removal from
1129		service.
1130		
1131	d)	ANo surface impoundment unit that has been removed from service in
1132		compliance accordance with the requirements of this Section may be restored to
1133		service <u>only if unless</u> the portion of the unit that failed has been repaired.
1134		
1135	e)	A surface impoundment unit that has been removed from service in
1136		compliance accordance with the requirements of this Section and that is not being
1137		repaired must be closed in <u>compliance</u> accordance with the provisions of Section
1138		616.447.
1139		
1140	(Source	ce: Amended at 47 Ill. Reg, effective)
1141		
1142	Section 616.4	47 Closure and Post-Closure Care
1143		
1144	a)	If closure is to be by removal, the owner or operator <u>mustshall</u> remove all waste,
1145		all waste residues, contaminated containment system components (<u>e.g.</u> ,
1146		<u>liners</u> liners , etc.), contaminated subsoils and structures and equipment
1147		contaminated with waste and leachate; and, if disposed of in the State of Illinois,
1148		dispose of them at a disposal site permitted by the Agency under the Act.
1149	• .	
1150	b)	If closure is not to be by removal, the owner or operator <u>mustshall</u> comply with
1151		the requirements of Subpart C and <u>mustshall</u> :

1152			
1153	1) Elin	ninate free liquids by removing liquid wastes or solidifying the
1154		rema	aining wastes and waste residues.
1155			
1156	2) Stab	vilize remaining wastes to a bearing capacity sufficient to support final
1157		cove	er.
1158			
1159	3) Cov	er the surface impoundment unit with a final cover designed and
1160		cons	structed to:
1161			
1162		A)	Provide long-term minimization of the migration of liquids through
1163			the closed impoundment unit;
1164			
1165		B)	Function with minimum maintenance;
1166			
1167		C)	Promote drainage and minimize erosion or abrasion of the final
1168			cover;
1169			
1170		D)	Accommodate settling and subsidence so that the cover's integrity
1171			is maintained; and
1172			
1173		E)	Have a permeability less than or equal to the permeability of any
1174			bottom liner system.
1175			
1176	,		ste residues or contaminated materials are left in place at final closure,
1177			r operator <u>mustshall</u> comply with the requirements of Subpart C and
1178	sl	hall for <u>fiv</u>	<u>ea period of 5</u> years after closure <u>and must</u> :
1179	4		
1180	1	•	ntain the integrity and effectiveness of the final cover, including
1181			ing repairs to the cap as necessary to correct the effects of settling,
1182		subs	sidence, erosion, or other events;
1183	2		
1184	2) Mai	ntain and monitor the groundwater monitoring system; and
1185	2	, D	1 66.6 1 1 1 1 1 1 1 1 1 1
1186	3		vent run-on and run-off from eroding or otherwise damaging the final
1187		cove	er.
1188	(Carrage)	A a d a d	of 47 III Dog offorting
1189	(Source:	Amended	at 47 Ill. Reg, effective)
1190			CLIDDADT C. ON CITE WASTE DILES
1191 1192			SUBPART G: ON-SITE WASTE PILES
1192	Section 616.461	Annlical	nility
	Section 010.401	Applicat	omty
1194			

1195	This Subpart	applies to new waste piles that are located wholly or partially within a setback zone
1196		echarge area and that contain special waste or other waste generated on-site, except
1197	•	art does not apply to any new waste pile that:
1198	unar una zuep	are does not apply to any new waste pire and
1199	a)	Contains solely one or more of the following: hazardous waste, livestock waste,
1200	u)	landscape waste, or construction and demolition debris; or
1201		landscape waste, of construction and demonition debits, of
1201	b)	Consists of sludge resulting from the treatment of domestic wastewater from a
1203	0)	POTW and the sludge pile is situated on an underdrained pavement and operated
1204		in <u>compliance</u> accordance with the Act, 35 Ill. Adm. Code: Subtitle C and 35 Ill.
1205		Adm. Code: Subtitle G; or
1206		
1207	c)	Is exempt from this Part <u>underpursuant to</u> Section 616.105.
1208		
1209	(Source	ee: Amended at 47 Ill. Reg, effective)
1210		
1211	Section 616.4	62 Prohibitions
1212		
1213	a)	Under Pursuant to Sections 14.2(a), 14.2(c), and 14.3(e) of the Act, a person must
1214		notno person shall cause or allow the construction or operation of any waste pile
1215		that is:
1216		
1217		1) Located wholly or partially within a minimum setback zone and that is
1218		either a new potential primary source or a new potential secondary source,
1219		except as specified in Sections 616.104(a) and (b); or
1220		one operation in according of one (c), or
1221		2) Located wholly or partially within a maximum setback zone and that is a
1222		new potential primary source, except as specified in Section 616.104(b).
1223		new potential primary source, except as specified in Section 010.10 1(0).
1224	b)	A person must not No person shall cause or allow the disposal of special waste in
1225	0)	a new waste pile within a regulated recharge area if the distance from the
1226		wellhead of the community water supply well to the waste pile is 2500 feet or
1227		less, except as provided inat Section 616.105
1228		less, except as provided <u>mat section 010.103</u>
1229	c)	Nothing in this Section prohibits shall prohibit a waste pile, within a maximum
1230	C)	setback zone regulated by the Act, of sludge resulting from the treatment of
1231		domestic wastewater or of sludge resulting from the treatment of water to produce
1231		potable water, if such activities are conducted in compliance accordance with the
1233		Act, 35 Ill. Adm. Code: Subtitle C, Subtitle Subtitle F, and Subtitle G.
1234		Act, 33 m. Adm. Code. Submic C, Submic T, and Submic G.
	(Carre	on Amended et 47 III. Dec
1235	(Sourc	ee: Amended at 47 Ill. Reg, effective)
1236	Continue (1)	62 Design and Operating Requirements
1237	section 010.4	63 Design and Operating Requirements

1238			
1239	a)	A per	rson must not No person shall cause or allow:
1240			
1241		1)	Disposal or storage in the waste pile of liquids or materials containing free
1242			liquids; or
1243			
1244		2)	Migration and runoff of leachate into adjacent soil, surface water, or
1245			groundwater.
1246			
1247	b)	A wa	ste pile must comply with the following standards:
1248			
1249		1)	The waste pile must be under an impermeable membrane or cover that
1250			provides protection from precipitation;
1251			
1252		2)	The waste pile must be protected from surface water run-on; and
1253			
1254		3)	The waste pile must be designed and operated to control wind dispersal of
1255			waste by a means other than wetting.
1256			
1257	(Sour	ce: An	nended at 47 Ill. Reg, effective)
1258			
1259	Section 616.	464 Cl	osure
1260			
1261	The owner or	r operat	for must completeshall accomplish closure by removing and disposing of all
1262	wastes and co	ontainn	nent system components (e.g., linersliners, etc). If disposed of in the State of
1263	Illinois, the v	vaste ar	nd containment system components must be disposed of at a disposal site
1264	permitted by	the Ag	ency under the Act.
1265			
1266	(Sour	ce: An	nended at 47 Ill. Reg, effective)
1267			
1268			SUBPART H: UNDERGROUND STORAGE TANKS
1269			
1270	Section 616.	501 A _J	pplicability
1271			
1272	This Subpart	applies	s to new underground storage tanks that are located wholly or partially within
1273	a setback zor	ne or re	gulated recharge area and that contain special waste, except that this Subpart
1274	does not appl	ly to an	y new underground storage tank that:
1275			
1276	a)	<u>Unde</u>	exPursuant to 35 Ill. Adm. Code 731.110(a) must meet the requirements set
1277			in 35 Ill. Adm. Code 731, unless such a tank is excluded from those
1278		requi	rements under pursuant to 35 Ill. Adm. Code 731.110(b); or
1279		-	
1280	b)	<u>Has</u>	Aust have interim status or a RCRA permit under 35 Ill. Adm. Code: Subtitle
			-

1281		G; or
1282		
1283 1284	c)	Is exempt from this Part <u>underpursuant to</u> Section 616.105.
1285	(Sour	ce: Amended at 47 Ill. Reg, effective)
1286		
1287 1288	Section 616.	502 Design and Operating Requirements
1289	Owners and o	operators of new underground storage tanks that store special waste <u>mustshall</u> meet
1290		ents set forth in 35 Ill. Adm. Code 731. These Such requirements must be met even
1291	•	re excluded from coverage under 35 III. Adm. Code 731 by 35 III. Adm. Code
1292		The exclusions set forth in 35 Ill. Adm. Code 731.110(b) doshall not apply to any
1293	` '	storage tank that stores special waste.
1294	unacigiouna	storage tank that stores special waste.
1295	(Sour	ce: Amended at 47 Ill. Reg, effective)
1296	(5041	, energy
1297		SUBPART I: PESTICIDE STORAGE AND HANDLING UNITS
1298		
1299	Section 616.	601 Applicability
1300	2001011 0100	
1301	a)	This Subpart applies to any new unit for the storage and handling of pesticides
1302	/	that is located wholly or partially within a setback zone or regulated recharge area
1303		and that:
1304		
1305		1) Is operated for the purpose of commercial application; or
1306		
1307		2) Stores or accumulates pesticides prior to distribution to retail sales outlets,
1308		including but not limited to a unit that is a warehouse or bulk terminal.
1309		and the state of t
1310	b)	Despite subsections Subsections (a)(1) and (a)(2) notwithstanding, this Subpart
1311	-,	does not apply to any unit exempt under pursuant to Section 616.105.
1312		
1313	(Sour	ce: Amended at 47 Ill. Reg, effective)
1314	`	<i>S</i>
1315	Section 616.	602 Prohibitions
1316		
1317	Under Pursua	nt to Sections 14.2(a), 14.2(c), and 14.3(e) of the Act, a person must not no person
1318		allow the construction or operation of any unit for the storage and handling of
1319	pesticides tha	
1320		
1321	a)	Located wholly or partially within a minimum setback zone and that is either a
1322	/	new potential primary source or a new potential secondary source, except as
1323		specified in Section 616.104(a) and (b); or

1324		
1325	b)	Located wholly or partially within a maximum setback zone and that is a new
1326		potential primary source, except as specified in Section 616.104(b).
1327		
1328	(Sour	rce: Amended at 47 Ill. Reg, effective)
1329		
1330	Section 616.	603 Groundwater Monitoring
1331		
1332	The owner or	r operator <u>mustshall</u> comply with the requirements of Subpart B.
1333		
1334	(Sour	rce: Amended at 47 Ill. Reg, effective)
1335		
1336	Section 616.	604 Design and Operating Requirements
1337		
1338	The owner or	r operator <u>mus</u> t shall :
1339		
1340	a)	Maintain a written record inventorying all pesticides stored or handled at the unit.
1341		
1342	b)	At least weekly when pesticides are being stored, inspect storage containers,
1343		tanks, vents, valves, and appurtenances for leaks or deterioration caused by
1344		corrosion or other factors. If a leak or deterioration is found in any of these
1345		devices, the owner or operator must immediately repair or replace the device.
1346		The owner or operator <u>mustshall</u> maintain a written record of all inspections
1347		conducted under this Section and of all maintenance relating to leaks and
1348		deterioration of these devices.
1349	2)	Change all containing containing mosticides within a mosticide accordance
1350	c)	Store all containers containing pesticides within a pesticide secondary
1351		containment structure, if such containers are stored outside of a roofed structure
1352 1353		or enclosed warehouse. For the purpose of this subsection, a pesticide secondary
1353 1354		containment structure is a structure that complies with the design standards set forth in 8 Ill. Adm. Code 255.
1355		HOTH III 8 III. Adili. Code 255.
1356	d)	Maintain all written records required under this Section at the site. The owner or
1357	u)	operator <u>must</u> shall provide the written recordsany such record to the Agency upon
1358		request.
1359		request.
1360	(Boat	rd Note: Owners or operators of facilities or units subject to this Part may also be
1361		ct to regulations under 8 Ill. Adm. Code 255.)
1362	2 2 2	
1363	(Sour	rce: Amended at 47 Ill. Reg, effective)
1364	(230)	, , , , , , , , , , , , , , , , , , , ,
1365	Section 616.	605 Closure and Post-Closure Care

1367 1368	The owner o	r operator <u>mustshall</u> comply with the requirements of Subpart C.				
1369	(Sour	rce: Amended at 47 Ill. Reg, effective)				
1370 1371 1372		SUBPART J: FERTILIZER STORAGE AND HANDLING UNITS				
1372 1373 1374	Section 616.	621 Applicability				
1375 1376 1377	-	applies to any new unit for the storage and handling of fertilizers that is located rtially within a setback zone or regulated recharge area and that:				
1378 1379	a)	Is operated for the purpose of commercial application; or				
1380 1381 1382	b)	Stores or accumulates fertilizers prior to distribution to retail sales outlets, including but not limited to a unit that is a warehouse or bulk terminal.				
1383 1384	c)	<u>Despite subsections</u> <u>Subsections</u> (a) and (b)(1) and (2) notwithstanding, this Subpart <u>doesshall</u> not apply to any unit exempt <u>underpursuant to</u> Section 616.105.				
1385 1386 1387	(Sour	rce: Amended at 47 Ill. Reg, effective)				
1388 1389	Section 616.	622 Prohibitions				
1390 1391 1392		r allow the construction or operation of any unit for the storage and handling of at is:				
1393 1394 1395 1396	a)	Located wholly or partially within a minimum setback zone and that is either a new potential primary source or a new potential secondary source, except as specified in Sections 616.104(a) and (b); or				
1397 1398 1399 1400	b)	Located wholly or partially within a maximum setback zone and that is a new potential primary source, except as specified in Section 616.104(b).				
1401	(Sour	rce: Amended at 47 Ill. Reg, effective)				
1402 1403	Section 616.	623 Groundwater Monitoring				
1404 1405	The owner o	r operator mustshall comply with the requirements of Subpart B.				
1406 1407 1408	(Source: Amended at 47 Ill. Reg, effective)					
1408	Section 616.	624 Design and Operating Requirements				

1410		
1411	The owner or	operator mustshall:
1412		
1413	a)	Maintain a written record inventorying all fertilizers stored or handled at the unit.
1414		
1415	b)	At least weekly when fertilizers are being stored, inspect storage containers,
1416		tanks, vents, valves, and appurtenances for leaks or deterioration caused by
1417		corrosion or other factors. If a leak or deterioration is found in any of these
1418		devices, the owner or operator <u>must</u> shall immediately repair or replace the device.
1419		The owner or operator <u>mustshall</u> maintain a written record of all inspections
1420		conducted under this Section and of all maintenance relating to leaks and
1421		deterioration of these devices.
1422		
1423	c)	Store all containers containing fertilizers (except anhydrous ammonia) within a
1424		fertilizer secondary containment structure, if the such containers are stored outside
1425		of a roofed structure or enclosed warehouse. For the purpose of this subsection, a
1426		fertilizer secondary containment structure is a structure that complies with the
1427		design standards set forth in 8 Ill. Adm. Code 255.
1428		
1429	d)	Maintain all written records required under this Section at the site. The owner or
1430		operator <u>mustshall</u> provide <u>the written records</u> any such record to the Agency upon
1431		request.
1432		
1433	(Boar	d Note: Owners or operators of facilities or units subject to this Part may also be
1434	subjec	et to regulations under 8 Ill. Adm. Code 255.)
1435		
1436	(Sour	ce: Amended at 47 Ill. Reg, effective)
1437		
1438	Section 616.	625 Closure and Post-Closure Care
1439		
1440	The owner or	operator mustshall comply with the requirements of Subpart C.
1441		
1442	(Sour	ce: Amended at 47 Ill. Reg, effective)
1443		
1444		SUBPART K: ROAD OIL STORAGE AND HANDLING UNITS
1445		
1446	Section 616.	702 Prohibitions
1447		
1448		nt to Sections 14.2(a), 14.2(c), and 14.3(e) of the Act, a person must not no person
1449		allow the construction or operation of any unit for the storage and handling of road
1450	oils that is:	
1451		
1452	a)	Located wholly or partially within a minimum setback zone and that is either a

1453			-	l primary source or a new potential secondary source, except as
1454		speci	nea m s	Sections 616.104 (a) and (b) ; or
1455	b)	Logo	tad ruba	Ily on newtially within a maximum authorization and that is a new
1456	b)			lly or partially within a maximum setback zone and that is a new
1457		poten	mai prii	nary source, except as specified in Section 616.104(b).
1458	(20	,,,,,,,,, A m	aandad .	et 47 III Dec effective
1459 1460	(30	uice. An	ienaea a	at 47 Ill. Reg, effective)
1460 1461	Section 61	6702 C	rounds.	eatan Manitaning
1461 1462	Section of	0.703 GI	rounaw	rater Monitoring
1463	The owner	or operat	or must	shall comply with the requirements of Subpart B.
1464	The Owner	or operat	.or <u>must</u>	shan compry with the requirements of Subpart B.
1465	(\$0	urca. An	nandad s	at 47 Ill. Reg, effective)
1466	(30	uice. An	ienaea (at 47 III. Reg
1467	Section 61	6 704 Da	scian on	d Operating Requirements for Above-Ground Storage Tanks
1468	Section of	0.70 4 DC	sign an	du Operating Requirements for Above-Ground Storage Tanks
1469	a)	The c	wner o	r operator of a tank <u>mustshall</u> not cause or allow:
1470	a)	THE	WIICI O	r operator of a tank intestinant not cause of anow.
1471		1)	Mate	rials to be placed in a tank if such materials could cause the tank to
1472		1)		re, leak, corrode, or otherwise fail.
1473			ruptu	re, reak, corrode, or otherwise rain.
1474		2)	Unco	vered tanks to be placed or operated so as to maintain less than 60
1475		2)		meters (2 feet) of freeboard unless:
1476			centin	noters (2 reet) of freedouta afficies.
1477			A)	The tank is equipped with a containment structure (e.g., dike or
1478			11)	trench), a drainage control system, or a diversion structure (e.g.,
1479				standby tank); and
1480				stander tank), and
1481			B)	The Such containment structure, drainage control system, or
1482			2)	diversion structure has a capacity that equals or exceeds the
1483				volume of the top 60 centimeters (2 feet) of the tank.
1484				volume of the top of committees (2 1000) of the think
1485		3)	Mate	rial to be continuously fed into a tank, unless the tank is equipped
1486		-/		a means to stop this inflow (e.g., a feed cutoff system or a bypass
1487				m to a standby tank).
1488			J	
1489		4)	Incon	npatible materials to be placed in the same tank.
1490		,		
1491		5)	Mate	rial to be placed in a tank that previously held an incompatible
1492		,		rial unless the incompatible material has been washed from the tank
1493				•
1494		6)	Ignita	able or reactive material to be placed in a tank unless:
1495		,		•

JCAR350616-2208794r02

1496			A)	The material is stored or treated in such a way that it is protected
1497				from any material or conditions that may cause it to ignite or react;
1498				or
1499				
1500			B)	The tank is used solely for emergencies.
1501				
1502	b)	The	owner o	r operator mustshall provide and maintain primary containment for
1503		the ta	ank such	that:
1504				
1505		1)	The ta	ank has a minimum shell thickness that ensures that the tank will not
1506			fail (e	e.g., collapse, rupturei.e., collapse, rupture, etc.).
1507				
1508		2)	The ta	ank is compatible with the material to be placed in the tank or the
1509			tank i	is lined with a substance that is compatible with the material to be
1510			place	d in the tank.
1511			•	
1512	c)	The	owner o	r operator must shall provide and maintain secondary containment for
1513		the ta	ank that:	
1514				
1515		1)	Is cap	bable of containing the volume of the largest tank or 10% of the total
1516		,		ne for all tanks, whichever is greater;
1517				•
1518		2)	Is cor	nstructed of material capable of containing a spill until cleanup
1519		,		rs (e.g., concrete or clay). The base of the secondary containment
1520				must be capable of minimizing vertical migration of a spill until
1521				up occurs (e.g., concrete or clay);
1522				
1523		3)	Has c	cover (e.g., crushed rock or vegetative growth) on earthen
1524		,		nkments sufficient to prevent erosion; and
1525				1
1526		4)	Isolat	tes the tank from storm water drains and from combined storm water
1527		,		s and sanitary sewer drains.
1528				
1529	d)	If inc	compatil	ole materials are handled at the site, secondary containment sufficient
1530	/		-	units containing the incompatible materials must be provided.
1531				8
1532	e)	The	owner o	r operator of a tank must shall also:
1533	- /			<u></u>
1534		1)	Test a	above-ground tanks and associated piping every five years for
1535		-/		tural integrity.
1536			21100	······································
1537		2)	Remo	ove uncontaminated storm water water runoffrun off from the
1538		-,		adary containment area immediately after a precipitation event.
-550			555011	Toniumioni area miniocianor, area a procepitation events

1539			
1540		3)	Handle contaminated storm water run offrunoff in compliance accordance
1541		ŕ	with 35 Ill. Adm. Code 302.Subpart A.
1542			•
1543		4)	Provide a method for obtaining a sample from each tank.
1544		,	
1545		5)	Install, maintain, and operate a material level indicator on each tank.
1546			
1547		6)	When not in use, lock all gauges and valves that are used to inspect levels
1548			in the tank. All such devices must be located within the containment
1549			structure.
1550			
1551	(Source	e: Am	ended at 47 Ill. Reg, effective)
1552 1553	SII	RPAR	T L: DE-ICING AGENT STORAGE AND HANDLING UNITS
1554	50.	DI AIX	T.E. DE-ICHA MOENT STORMOL MAD IMADEINA CIVITS
1555	Section 616.7	22. Pr	ohibitions
1556	Section 010.72	<i>22</i> 11	OHIOTEOHS
1557	a)	Under	r <mark>Pursuant to Sections 14.2(a), 14.2(c), and (14.3(e) of the Act, a person must</mark>
1558	u)		person shall cause or allow the construction or operation of any unit for the
1559			ge and handling of de-icing agents that is:
1560		storag	so and handring of do foring agona that is.
1561		1)	Located wholly or partially within a minimum setback zone and that is
1562		-/	either a new potential primary source or a new potential secondary source,
1563			except as specified in Sections 616.104(a) and (b); or
1564			the period in sections of the man (e), or
1565		2)	Located wholly or partially within a maximum setback zone and that is a
1566		-/	new potential primary source, except as specified in Section 616.104(b).
1567			The second formula is a second of the second
1568	b)	A per	son must not No person shall cause or allow the construction or operation
1569	- /		n any setback zone of any outdoor facility for the storage and handling of de-
1570			agents, except as provided in at Section 616.105.
1571		υ	
1572	(Source	e: Am	ended at 47 Ill. Reg, effective)
1573	`		
1574	Section 616.7	23 Gr	oundwater Monitoring
1575			
1576	The owner or	operate	or mustshall comply with the requirements of Subpart B.
1577	/ C		1 1 47 H1 D CC -:
1578	(Source	e: Am	ended at 47 Ill. Reg, effective)
1579	C4 (16 F	14 D	-i
1580	Section 616. 77	24 De	sign and Operating Requirements for Indoor Storage Facilities
1581			

JCAR350616-2208794r02

1582	a)	The base of the facility must be constructed of materials capable of containing de-
1583		icing agents (i.e., bituminous or concrete pad).
1584		
1585	b)	The roof and walls of the facility must be constructed of materials capable of
1586		protecting the storage pile from precipitation and capable of preventing dissolved
1587		de-icing agents from entering into the adjacent soil, surface water, or
1588		groundwater. The walls of the facility must be constructed of materials
1589		compatible with the de-icing agents to be placed in the facility. Run-off from the
1590		roof must be diverted away from the loading pad.
1591		,
1592	c)	The loading pad of the facility must be constructed of materials capable of
1593		containing a spill (i.e., concrete or bituminous pad). The borders of the loading
1594		pad must be curbed to prevent dry or dissolved de-icing agents from migrating
1595		from the loading pad into the adjacent soils, surface water, or groundwater. The
1596		loading pad must be covered by a roof of sufficient size to provide the pad and de-
1597		icing agents with protection from precipitation to prevent run-off or dissolved de-
1598		icing agents from entering into the adjacent soil, surface water, or groundwater.
1599		
1600	d)	All areas surrounding the storage pile, including but not limited to the loading
1601		pad, must be routinely inspected to determine whether any release of de-icing
1602		agents has occurred. These Such areas must shall be cleaned as necessary. Spilled
1603		de-icing agents must be placed back under the protective covering of the indoor
1604		storage pile. The storage pile must be reshaped as often as necessary to prevent
1605		leaching.
1606		
1607	e)	The integrity of the facility and loading pad must be maintained.
1608		
1609	f)	All areas surrounding the storage facility must be inspected daily to determine
1610		whether any release of de-icing agents has occurred. Spilled de-icing agents must
1611		be placed back into the storage facility.
1612		
1613	(Sou	rce: Amended at 47 Ill. Reg, effective)